

**Town of Milford
Zoning Board of Adjustment
August 4, 2016
Case #2016-19
Rymes Heating Oils, Inc.
Special Exception**

Present: Kevin Johnson Chairman
Michael Thornton
Joan Dargie
Jason Plourde
Rob Costantino

Absent: Len Harten
Kathy Bauer, Board of Selectmen Representative

Secretary: Peg Ouellette

Rymes Heating Oils, Inc. for property located at 419-425 Nashua Street, Milford, N.H. Tax Map 31, Lot 3 & 4, in the Limited Commercial-Business District, is seeking a Special Exception per the Milford Zoning Ordinances Article II, Section 2/03.1.C to allow the pre-existing non-conforming use of fuel storage facilities on Lot 4 to be expanded onto Lot 3 when the lots are consolidated into one lot.

MINUTES APPROVED ON 11/3/16

K. Johnson, Chair, opened the meeting by stating that the hearings are held in accordance with the Town of Milford Zoning Ordinance and the applicable New Hampshire Statutes. He then introduced the Board. He informed all of the procedures of the Board. He read the notice of hearing into the record.

K. Johnson then stated that he doubted they would reach this case tonight because of a very full agenda. The Board could act now and decide to table to the next meeting or next one they are available for; or the attorneys could wait and see how things progressed and then decide. Didn't want them to wait around and then have it tabled anyway. The Board may open the case, or not even reach it, but he could guarantee that the Board would not get it finished this evening.

Attorneys decided to wait and see how this meeting progressed.

After hearing Cases #2016-17 and #2016-18, there were still several items remaining on the agenda.

K. Johnson stated that this case, #2016-19, would not be reached. It could be placed on agenda for next regular meeting on Aug. 18. or on the next meeting after that.

Attorneys made statements as to their availability.

K. Johnson suggested a special meeting on Aug. 25.

J. Dargie suggested polling everybody for Aug. 25.

Attorney for opposition stated this same case for variance was before Board in November; now many months later.

K. Johnson understood. Will schedule it to Aug. 18. In response to question from attorney, he said cases on agenda that night will be #2016-15 Nathan & Brooke Langlais, which was deliberation tabled from this evening, and the Wolcott rehearing, which would not be reached this evening, either. The Rymes case would be third on agenda with no guarantee it would be reached.

K. Johnson polled the Board. All available except J. Plourde. K. Johnson said probably would have full board because L. Harten might be available. Attorney would have to submit a written objection and submit it for Board to consider.

K. Johnson asked to table Case #2016-19 to the Aug. 18 meeting.

J. Dargie made motion

R. Costantino seconded.

All voted in favor. Motion passed 5 to 0.

Case #2016-19 tabled to Aug. 18, 2016 meeting.